



9/7/05

## MESSAGES FROM THE SENATE

### **SB 416 (Cropsey)**

### **SB 463 (Van Woerkom)**

SB 416 specifically addresses the issue of ultra-violent explicit video games. The bill would define terms, clearly define when a person's actions would trigger penalties, and provide an affirmative defense for retailers and others who acted in good faith. It would encourage retailers to utilize industry rating systems. The bill, along with the other bills in the package, will incorporate a "community" approach to protecting children from potentially harmful video games. The bills will not supplant parents as the primary individuals responsible for educating and protecting their children, but this is one area where it does take "a village to raise a child" as the popular saying goes.

- Cropsey 1 (3 amends) was adopted [no RC].
- Cropsey 2 (1 amend) was adopted [no RC].
- The Senate concurred with the House changes to SB 416, as amended by the Senate [RC 374: 35 yes, 2 no]. Immediate Effect was given to the bill.

SB 463 addresses the problem of retailers selling or renting video games to minors that contain sexually explicit scenes. It does not address games considered to be violent. By specifically listing "video game" in the definition of sexually explicit performance and sexually explicit visual material, knowingly selling, renting, or lending a video game to a person 17 years of age or younger that contained images deemed as sexually explicit matter harmful to minors would subject a retailer (or anyone else) to the penalties outlined in the act – a felony punishable by up to two years imprisonment and/or a fine of not more than \$10,000.

- Van Woerkom 1 (S-1) was adopted [no RC].
- The Senate concurred with the House changes to SB 463, as amended by the Senate [RC 375: 36 yes, 0 no]. Immediate Effect was given to the bill.

## FINAL PASSAGE

### **SB 347 (Toy)**

SB 347 would provide that, if the Department of Treasury selected a tax return for manual review, the Department would have to send notification to the taxpayer within 10 days of that selection. Apparently, legislators regularly hear from taxpayers asking for assistance in determining the status of their refund checks, after the individuals have been unable to get the answers they need from the Department's automated telephone

system, and cannot get an employee to speak with them. Under the bill, any taxpayer whose return was selected for manual review by the Department would receive notice of the review with an approximate time frame for the review and have the opportunity to speak with someone familiar with the review. The change would make the Department more taxpayer-friendly and would improve the service it provides to older residents who are uncomfortable using automated telephone systems.

- *Toy 1 (S-1) was adopted. (8/31)*
- *SB 347 was moved to 3<sup>rd</sup> Reading.*
- **SB 347 passed [RC 376: 37 yes, 0 no]. (9/7)**

### **SB 501 (Birkholz)**

SB 501 would prevent part of the General Property Tax law from being repealed on December 31, 2006. If it is repealed, purchasers will no longer have certified assurances that the property they are buying is not subject to tax bills, tax liens, or certain other encumbrances. Section 135 also provides protection for neighboring property owners because it requires county treasurers to make sure that the description of the property in the deed matches the description on the tax roll.

- *SB 501 was moved to 3<sup>rd</sup> Reading. No amendments. (8/31)*
- **SB 501 passed [RC 379: 37 yes, 0 no]. (9/7)**

### **SBs 569-70 (Allen)**

SBs 569-70 would allow the Bay View Association of the United Methodist Church, located in the incorporated Township of Bear Creek on Little Traverse Bay, to continue to qualify for historic preservation credits. The Bay View Association is a National Historic Landmark community established in 1875, and consists of more than 30 public buildings, 440 cottages, and two inns situated on 337 acres. The township has grown significantly in recent years and the population now exceeds 5,000. Thus, Association homeowners are ineligible for the historic preservation tax credits. It has been suggested that the eligibility criteria be expanded to allow property owners within the Bay View Association to use the historic preservation credits.

SB 569:

- *Committee (S-1) was adopted. (8/31)*
- *SB 569 was moved to 3<sup>rd</sup> Reading.*
- **SB 569 passed [RC 380: 36 yes, 0 no]. (9/7)**

SB 570:

- *Committee (S-1) was adopted. (8/31)*
- *SB 570 was moved to 3<sup>rd</sup> Reading.*
- **SB 570 passed [RC 381: 37 yes, 0 no]. (9/7)**

### **SB 648 (BASHAM)**

SB 648 would: 1) Rename the Law Enforcement Information Network (LEIN) to the Policy Council the Criminal Justice Information Systems Policy Council, 2) Expand the council's membership. 3) Require the council to establish policy and promulgate rules governing information in criminal justice information systems, and advise the Governor on related issues.

- *Committee 1 (S-1) was adopted. (9/6)*
- *SB 648 was moved to 3<sup>rd</sup> Reading.*

- SB 648 passed [RC 384: 37 yes, 0 no]. (9/7)

## **HB 4071 (Hildenbrand)**

## **HB 4145 (Rocca)**

HB 4071 and HB 4145 would allow hunters and fishers to donate \$1 to the Sportsmen Against Hunger Program when they apply for a license, beginning January 1, 2006. The donation would be in addition to the license fee. Beginning January 1, 2007, the Department of Natural Resources would use the fees to implement a program to distribute wild game to people in need; however, the department could contract with a nonprofit group to undertake the food distribution program.

Support: Michigan Sportsmen Against Hunger, National Wildlife Federation, Food Bank Council of Michigan, Michigan Bow Hunters Association, Safari Club International.

[According to committee testimony offered by the Michigan Wildlife Federation, other states operate similar programs: hunters in the State of Wisconsin contribute 500,000 pounds of meat annually, while those in Virginia contribute 300,000 pounds. Maryland began its program, called Farmers and Hunters Feeding the Hungry, in 1997. There, voluntary contributions totaled \$40,000 a year. Impressed by the program's success, the Maryland General Assembly enacted a law in 2002 to require that \$1 from the sale of each hunting license be used to support programs that process deer for needy people. According to the Maryland Department of Natural Resources, more than \$100,000 is raised annually.]

HB 4071:

- *Committee (3 amends) was adopted. (8/31)*
- *Birkholz 2 (S-1) was adopted.*
- *HB 4071 was moved to 3<sup>rd</sup> Reading.*
- **HB 4071 passed with IE [RC 377: 37 yes, 0 no]. (9/7)**

HB 4145:

- *Committee (2 amends) was adopted. (8/31)*
- *Birkholz 2 (S-1) was adopted.*
- *HB 4145 was moved to 3<sup>rd</sup> Reading.*
- **HB 4145 passed with IE [RC 378: 37 yes, 0 no]. (9/7)**

## **HB 4679 (Ward)**

HB 4679 would allow a municipality with an existing downtown district to enter into an inter-local agreement with a qualified adjoining township under which the municipality would operate its district in a downtown district within the township. (Under the act, a municipality can be a city, village, or township.) A qualified township would be defined as a township that 1) was not eligible to create an authority prior to January 3, 2005; 2) adjoins a municipality with an existing authority; and 3) is a member of the same joint planning commission as the municipality.

- *Committee (S-1) was adopted. (8/31)*
- *HB 4679 was moved to 3<sup>rd</sup> Reading.*
- **HB 4679 passed with IE [RC 382: 37 yes, 0 no]. (9/7)**

## **HB 4915 (Jones)**

HB 4915 would add "logistical optimization centers" to the list of industrial properties eligible for property tax abatements. A "logistical optimization center" would be defined as a sorting and distribution center that supports an assembly center and its manufacturing process for the purpose of optimizing transportation, just-in-time inventory management, and material handling.

- *Birkholz 1 (S-1) was adopted. (9/6)*
- *HB 4915 was moved to 3<sup>rd</sup> Reading.*
- **HB 4915 passed with IE [RC 383: 37 yes, 0 no]. (9/7)**

## THIRD READING

### SB 470 (Cropsey)

SB 470 would extend for two additional years court fees enacted in 2003. Combined, those fees bring in an estimated \$2.7 million per year.

- **SB 470 was moved to 3<sup>rd</sup> Reading. No amendments.**

### SBs 548-50 (Johnson)

SB 548, SB 549 and SB 550, would each, beginning October 1, 2005, earmark funds to the Secretary of State Transportation Administration Collection Fund. SB 548 would direct funds collected from the sale of records of state identification cards to the TACF. SB 549 would amend the vehicle code and SB 550 would earmark funds from the sale of ORV, snowmobile and watercraft registrations records. Currently revenues from these sources are used to pay the expenses incurred by the secretary of state in providing this service and then any surplus goes to the General Fund. These bills, if enacted, would mean any revenues above expenses would stay in the TACF for use by the Secretary of State in future years.

SB 548:

- **Committee (S-1) was adopted.**
- **SB 548 was moved to 3<sup>rd</sup> Reading.**

SB 549:

- **Committee (S-1) was adopted.**
- **SB 549 was moved to 3<sup>rd</sup> Reading.**

SB 550:

- **Committee (S-1) was adopted.**
- **SB 550 was moved to 3<sup>rd</sup> Reading.**

## RESOLUTIONS

### SCR 26 (Johnson)

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Kinross Correctional Facility New Power Plant.

- **SCR 26 was adopted [RC 385: 27 yes, 0 no].**